S. 1038

At the request of Mr. REID, his name was added as a cosponsor of S. 1038, a bill to eliminate racial profiling by law enforcement, and for other purposes.

S. 1069

At the request of Mrs. GILLIBRAND, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1069, a bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.

S. 1079

At the request of Mr. VITTER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1079, a bill to require the Director of the Bureau of Safety and Environmental Enforcement to promote the artificial reefs, and for other purposes.

S. 1116

At the request of Mr. SCHUMER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1116, a bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes.

S. 1123

At the request of Mr. CARPER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1123, a bill to amend titles XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 1130

At the request of Mr. MERKLEY, the names of the Senator from Colorado (Mr. UDALL), the Senator from Montana (Mr. BAUCUS) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 1130, a bill to require the Attorney General to disclose each decision, order, or opinion of a Foreign Intelligence Surveillance Court that includes significant legal interpretation of section 501 or 702 of the Foreign Intelligence Surveillance Act of 1978 unless such disclosure is not in the national security interest of the United States.

S. RES. 154

At the request of Mr. HOEVEN, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. Res. 154, a resolution supporting political reform in Iran and for other purposes.

AMENDMENT NO. 1182

At the request of Mr. LEAHY, the names of the Senator from California (Mrs. BOXER), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of amendment No. 1182 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1195

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 1195 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1198

At the request of Mr. TESTER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 1198 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1208

At the request of Mr. LEE, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of amendment No. 1208 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROCKEFELLER (for himself, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 1144. A bill to prohibit unauthorized third-party charges on wireline telephone bills, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, I rise to introduce the Fair Telephone Billing Act of 2013. This legislation would protect millions of American consumers and businesses from unauthorized charges on their wireline telephone bills.

In 2011, the Senate Commerce Committee, which I chair, completed a year-long investigation into unauthorized third-party charges on telephone bills, a practice commonly referred to as ''cramming.'' The investigation confirmed that third-party billing through wireline telephone bills had likely cost American consumers and businesses billions of dollars in unauthorized charges.

This legislation will put an end to cramming on wireline bills once and for all.

Unauthorized third-party charges on telephone bills have plagued consumers for years. Cramming first emerged in the 1990s. Following the breakup of AT&T and the detariffing of ''billing and collection services'' by the Federal Communications Commission, telephone companies opened their billing and collection systems to third-party companies offering a variety of services, some of which were completely unrelated to telephone services.

For the first time, telephone numbers worked like credit card numbers. Consumers could purchase services with their telephone numbers and the charges for these services would later appear on their telephone bills.

There has been much debate over the extent to which telephone companies were required to allow third parties to place charges on customers' phone bills, but the last of any Federal obligations ended in 2007. Since that time, with the exception of a few state requirements, telephone companies have been free to allow, or not allow, whatever companies they choose to place third-party charges on their customers' telephone bills. The telephone companies chose to allow all sorts of companies to place charges for all sorts of services.

Throughout the 1990s, state and federal law enforcement saw a dramatic increase in complaints about unauthorized charges on telephone bills. In response, the Federal Communications Commission and the telephone industry created voluntary guidelines to combat cramming.

Throughout this same period, Congress also convened hearings on the issue, and each time, the telephone industry used these voluntary guidelines to argue that congressional action on cramming was not needed. Several bills were introduced, but none were adopted. Now we find ourselves, over a decade later, still discussing cramming. We cannot make the same mistake again.

In 2010, I opened the Committee's investigation into cramming to better understand the scope of the cramming problem. The investigation showed that over the past decade, cramming caused extensive financial harm to all types of wireline telephone customers, from residences and small businesses, to government agencies and large companies. All the while, the largest telephone companies were making large profits, likely generating over $1 billion in revenue by placing third-party charges on their customers' telephone bills.

It was shocking to learn that many third-party vendors that were placing charges on telephone bills were illegitimate and appeared to have been created solely to exploit a broken system. Consumers reported being charged $10 to $30 a month for so-called ''services'' that they never authorized. These included weekly e-mail messages with ''celebrity gossip'' and ''fashion tips,'' and others completely unrelated to wireline telephone services—such as ''online photo storage'' and ''electronic facsimile.'' In some of the most egregious examples, unauthorized charges had been added to the bills for telephone lines dedicated to fire alarms, security systems, bank vaults, elevators, and 911 services.

The Committee investigation also determined that many of the services being charged to consumers' telephone bills seemed to serve no legitimate purpose, frequently did not function properly, and were often available elsewhere for free.

The investigation involved a review of thousands of consumer complaints and interviews with more than 500 individuals and business owners whose

telephone bills included charges from third parties. Not one of these individuals or entities believed they had authorized the charges.

Further, many of these consumers complained that when they found unauthorized charges on their telephone bills, they were unable to get the money refunded, either from the carrier or from the third-party vendor. That is unacceptable.

In response to the Committee's investigation, the three largest wireline telephone companies—AT&T, Verizon, and CenturyLink—took positive steps to eliminate cramming on wireline telephone bills, including a decision to stop allowing the placement of most third-party charges on wireline telephone bills.

The Fair Telephone Billing Act will ensure that all wireline telephone companies and providers of interconnected VoIP services are required to take the same steps so that cramming on telephone bills never happens again.

In short, the bill would prohibit any local exchange carrier or provider of interconnected VoIP services from placing any third-party charge on a customer's bill, unless the charge is for a telephone-related service or a ''bundled'' service that is jointly marketed or sold with a company's telephone service.

Under the bill, a telephone company that places prohibited charges on a customer's bill is responsible for refunding to the customer any charge for services the customer did not authorize.

The bill also includes a narrow exception for two categories of third-party billing services: telephone-related services, such as collect calls; and ''bundled'' services, such as satellite television services offered together with phone service. This bill recognizes that such legitimate types of billing offer substantial benefit to consumers.

In recent years, increasing numbers of consumers have transitioned from traditional wireline telephone service to interconnected VoIP services and more are expected. Since consumers likely do not see a distinction between traditional wireline service and interconnected VoIP services, I believe these services need to be included. It is important to ensure that all telephone customers are offered the same protections from unauthorized charges.

It also has become clear that cramming now extends to wireless bills. When I introduced a similar bill last year, I included provisions that would have directed the Federal Communications Commission to create rules to prevent cramming on wireless telephone bills. Since that time, the Senate Commerce Committee has been examining cramming on wireless bills, and I believe this issue demands additional attention. I do not want to see in a few years that cramming has simply migrated from wireline to wireless. It is important that we examine the extent to which third-party wireless billing practices raise any issues distinct from third-party wireline billing practices, so we can best determine appropriate policies for protecting against consumer abuses in this context.

Cramming has likely already cost consumers and businesses billions. The Fair Telephone Billing Act would stop practices that Congress, regulators, and consumers agree are nothing more than a cover for fraud.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1144

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fair Telephone Billing Act of 2013''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) For years, telephone users have complained that their wireline telephone bills included unauthorized third-party charges.

(2) This problem, commonly referred to as ''cramming,'' first appeared in the 1990s, after wireline telephone companies opened their billing platforms to an array of third-party vendors offering a variety of services.

(3) Since the 1990s, the Federal Communications Commission, the Federal Trade Commission, and State attorneys general have brought multiple enforcement actions against dozens of individuals and companies for engaging in cramming.

(4) An investigation by the Committee on Commerce, Science, and Transportation of the Senate confirmed that cramming is a problem of massive proportions and has affected millions of telephone users, costing them billions of dollars in unauthorized third-party charges over the past decade.

(5) The Committee showed that third-party billing through wireline telephone numbers has largely failed to become a reliable method of payment that consumers and businesses can use to conduct legitimate commerce.

(6) Telephone companies regularly placed third-party charges on their customers' telephone bills without their customers' authorization.

(7) Many companies engaged in third-party billing were illegitimate and created solely to exploit the weaknesses in the third-party billing platforms established by telephone companies.

(8) In the last decade, millions of business and residential consumers have transitioned from wireline telephone service to interconnected VoIP service.

(9) Users of interconnected VoIP service often use the service as the primary telephone line for their residences and businesses.

(10) Millions more business and residential consumers are expected to migrate to interconnected VoIP service in the coming years as the evolution of the nation's traditional voice communications networks to IP-based networks continues.

(11) Users of interconnected VoIP service that have telephone numbers through the service should be protected from the same vulnerabilities that affected third-party billing through wireline telephone numbers.

SEC. 3. UNAUTHORIZED THIRD-PARTY CHARGES.

(a) IN GENERAL.—Section 258 of the Communications Act of 1934 (47 U.S.C. 258) is amended—

(1) by amending the heading to read as follows: ''**SEC. 258. PREVENTING ILLEGAL CHANGES IN SUBSCRIBER CARRIER SELECTIONS AND UNAUTHORIZED THIRD-PARTY CHARGES.**''; and

(2) by adding at the end the following:

''(c) PROHIBITION.—

''(1) IN GENERAL.—No local exchange carrier or provider of interconnected VoIP service shall place or cause to be placed a third-party charge that is not directly related to the provision of telephone services on the bill of a customer, unless—

''(A) the third-party charge is from a contracted third-party vendor;

''(B) the third-party charge is for a product or service that a local exchange carrier or provider of interconnected VoIP service jointly markets or jointly sells with its own service;

''(C) the customer was provided with clear and conspicuous disclosure of all material terms and conditions prior to consenting under subparagraph (D);

''(D) the customer provided affirmative consent for the placement of the third-party charge on the bill; and

''(E) the local exchange carrier or provider of interconnected VoIP service has implemented reasonable procedures to ensure that the third-party charge is for a product or service requested by the customer.

''(2) FORFEITURE AND REFUND.—

''(A) IN GENERAL.—Any person who commits a violation of paragraph (1) shall be subject to a civil forfeiture, which shall be determined in accordance with section 503 of title V of this Act, except that the amount of the penalty shall be double the otherwise applicable amount of the penalty under that section.

''(B) REFUND.—Any local exchange carrier or provider of interconnected VoIP service that commits a violation of paragraph (1) shall be liable to the customer in an amount equal to all charges paid by that customer related to the violation of paragraph (1), in accordance with such procedures as the Commission may prescribe.

''(3) ADDITIONAL REMEDIES.—The remedies under this subsection are in addition to any other remedies provided by law.

''(4) DEFINITIONS.—In this subsection:

''(A) AFFIRMATIVE CONSENT.—The term 'affirmative consent' means express verifiable authorization.

''(B) CONTRACTED THIRD-PARTY VENDOR.—The term 'contracted third-party vendor' means a person that has a contractual right to receive billing and collection services from a local exchange carrier or a provider of interconnected VoIP service for a product or service that the person provides directly to a customer.

''(C) THIRD-PARTY CHARGE.—The term 'third-party charge' means a charge for a product or service not provided by a local exchange carrier or a provider of interconnected VoIP service.''.

(b) RULEMAKING.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Federal Communications Commission, in consultation with the Federal Trade Commission, shall prescribe any rules necessary to implement the provisions of this section.

(2) MINIMUM CONTENTS.—At a minimum, the regulations promulgated by the Federal Communications Commission under this subsection shall—

(A) define how local exchange carriers and providers of interconnected VoIP service will obtain affirmative consent from a consumer for a third-party charge;

(B) include adequate protections to ensure that consumers are fully aware of the charges to which they are consenting; and

(C) impose record keeping requirements on local exchange carriers and providers of interconnected VoIP service related to any grants of affirmative consent by consumers.

(c) EFFECTIVE DATE.—The Federal Communications Commission shall prescribe that any rule adopted under subsection (b) shall become effective for a local exchange carrier or provider of interconnected VoIP service not later than the date that the carrier's or provider's contractual obligation to permit another person to charge a customer for a good or service on a bill rendered by the carrier or provider expires, or 180 days after the date of enactment of this Act, whichever is earlier.

SEC. 4. RELATIONSHIP TO OTHER LAWS.

(a) NO PREEMPTION OF STATE LAWS.—Nothing in this Act shall be construed to preempt any State law, except that no State law may relieve any person of a requirement otherwise applicable under this Act.

(b) PRESERVATION OF FTC AUTHORITY.—Nothing in this Act shall be construed as modifying, limiting, or otherwise affecting the applicability of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) or any other law enforced by the Federal Trade Commission.

SEC. 5. SEVERABILITY.

If any provision of this Act or the application of that provision to any person or circumstance is held invalid, the remainder of this Act and the application of that provision to any other person or circumstance shall not be affected thereby.

By Mr. REED (for himself and Mr. BLUNT):

S. 1152. A bill to amend the Public Health Service Act to help build a stronger health care workforce; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I am pleased to be joined by Senator BLUNT in the introduction of the Building a Health Care Workforce for the Future Act.

According to the Association of American Medical Colleges, by 2020, there will be a shortage of 91,000 physicians. Approximately half of the shortage, 45,000, will be in primary care.

Individuals and families living in underserved areas, urban and rural, will continue to be those most disadvantaged by this shortage. According to the Pew Research Center, roughly 10,000 baby boomers will become eligible for Medicare every day through 2030. The most recent estimates from the Congressional Budget Office predict that 27 million individuals will gain access to health insurance by 2017 as a result of the Affordable Care Act. With an aging population and increasing number of individuals with health insurance, the gap between patients and providers is expected to widen. The Affordable Care Act took steps to address this shortage, but we can do more.

The Building a Health Care Workforce for the Future Act would authorize programs that would grow the overall number of health care providers, as well as encourage providers to pursue careers in geographic and practice areas of highest need.

Building on the success of the National Health Service Corp, NHSC, Scholarship and Loan Repayment Programs, and State Loan Repayment Program, this legislation would establish a state scholarship program. Like the NHSC State Loan Repayment Program, States would be able to receive a dollar-for-dollar match to support individuals that commit to practicing in the State in which the scholarship was issued after completing their education and training. At least 50 percent of the funding would be required to support individuals committed to pursuing careers in primary care. The States would have the flexibility to use the remaining 50 percent to support scholarships to educate students in other documented health care professional shortages in the state that are approved by the Secretary of Health and Human Services.

The Building a Health Care Workforce for the Future Act would also authorize grants to medical schools to develop primary care mentors on faculty and in the community. According to the Association of American Medical Colleges, graduating medical students consistently state that role models are one of the most important factors affecting the career path they choose. Building a network of primary care mentors in the classroom and in a variety of practice settings will help guide more medical students into careers in primary care.

The legislation would couple these mentorship grants with an initiative to improve the education and training offered by medical schools in competencies most critical to primary care, including patient-centered medical homes, primary and behavioral health integration, and team-based care.

It would also direct the Institute of Medicine (IOM) to study and make recommendations about ways to limit the administrative burden on providers in documenting cognitive services delivered to patients. Primary care providers treat patients in need of these services almost exclusively, and as such, spend a significant percentage of their day documenting. That is not the case for providers who perform procedures, like surgeries. This IOM study would help uncover ways to simplify documentation requirements, particularly for delivering cognitive services, in order to eliminate one of the potential factors that may discourage medical students from pursuing careers in primary care.

I am pleased that providers across the spectrum of care recognize that this bipartisan legislation is part of the solution to addressing the looming health care workforce shortage and have lent their support, including: the Alliance of Specialty Medicine, the American Association of College of Osteopathic Medicine, the American College of Physicians, the American Osteopathic Association, the Association of Academic Health Centers, the Association of American Medical Colleges, and the Society of General Internal Medicine.

I look forward to working with these and other stakeholders as well as Senator BLUNT and our colleagues to pass the Building a Health Care Workforce for the Future Act in order to help ensure patients have access to the health care they need.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 168—DESIGNATING JUNE 2013 AS ''NATIONAL APHASIA AWARENESS MONTH'' AND SUPPORTING EFFORTS TO INCREASE AWARENESS OF APHASIA

Mr. JOHNSON of South Dakota (for himself and Mr. KIRK) submitted the following resolution; which was considered and agreed to:

S. RES. 168

Whereas aphasia is a communication impairment caused by brain damage that typically results from a stroke;

Whereas aphasia can also occur with other neurological disorders, such as a brain tumor;

Whereas many people with aphasia also have weakness or paralysis in the right leg and right arm, usually due to damage to the left hemisphere of the brain, which controls language and movement on the right side of the body;

Whereas the effects of aphasia may include a loss of, or reduction in, the ability to speak, comprehend, read, and write, but the intelligence of a person with aphasia remains intact;

Whereas, according to the National Institute of Neurological Disorders and Stroke (referred to in this preamble as the ''NINDS''), strokes are the third-leading cause of death in the United States, ranking behind heart disease and cancer;

Whereas strokes are a leading cause of serious, long-term disability in the United States;

Whereas the NINDS estimates that there are approximately 5,000,000 stroke survivors in the United States;

Whereas the NINDS estimates that people in the United States suffer approximately 750,000 strokes per year, with about ⅓ of the strokes resulting in aphasia;

Whereas, according to the NINDS, aphasia affects at least 1,000,000 people in the United States;

Whereas the NINDS estimates that more than 200,000 people in the United States acquire aphasia each year;

Whereas the people of the United States should strive to learn more about aphasia and to promote research, rehabilitation, and support services for people with aphasia and aphasia caregivers throughout the United States; and

Whereas people with aphasia and their caregivers envision a world that recognizes the ''silent'' disability of aphasia and provides opportunity and fulfillment for people affected by aphasia: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 2013 as ''National Aphasia Awareness Month'';

(2) supports efforts to increase awareness of aphasia;

(3) recognizes that strokes, a primary cause of aphasia, are the third-largest cause of death and disability in the United States;

(4) acknowledges that aphasia deserves more attention and study to find new solutions for people experiencing aphasia and their caregivers;